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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/510,256	10/05/2004	Hubertus Cornelis Maria Van Den Nieuwenhuizen	NL 020271	8751

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EXAMINER

PERRY, ANTHONY T

ART UNIT PAPER NUMBER

2879

DATE MAILED: 10/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/510,256

Applicant(s)

VAN DEN NIEUWENHUIZEN,
HUBERTUS CORNELIS

Examiner

Anthony T. Perry

Art Unit

2879

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 9/19/06 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3, 4, 5, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morris (US 5,323,091) in view of Van den Nieuwenhuizen et al. (WO 00/77826).

Regarding claims 1, 4, and 5, Morris discloses a high-pressure discharge lamp and its method of manufacturing, wherein the high-pressure discharge lamp has a quartz glass discharge vessel (16) enclosing a discharge space with an ionizable filling, wherein a first electrode (18) and a second electrode (18) are present between which a discharge is maintained during lamp operation, wherein a first seal (42) incorporates a first internal electrical conductor (44) in the form a foil which connects the first electrode (18) to a first external electrical conductor (not labeled) extending from the seal (42) to the exterior, wherein said first seal (42) further incorporates a gas-filled cavity (50) which is at least partially surrounded by an external capacitive body (54), characterized in that the external capacitive body (54) is electrically isolated from the first and second electrodes (18), and the electrodes (18) are inherently

connected to an ignition system. The foil (44) extends through the gas-filled cavity (10). The gas filled cavity is taught to include mercury vapor (see col. 4, lines 13-16).

Morris does not specifically teach the capacitive body being in the form of a wire wound around the seal. However, Van den Nieuwenhuizen et al. teach an external capacitive body that is the form of a wire wound around the seal in order to simplify the manufacture of the lamp assembly (see page 4, line 31 – page 5, line 2 and Fig. 3). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use a wire, as taught by Van den Nieuwenhuizen, for the external capacitive body so that a simple assembly method that involves only winding the wire around the seal portion and does not require welding or other complicated attachment means can be used in the manufacturing of the lamp.

Regarding claim 3, Morris discloses a high-pressure discharge lamp and its method of manufacturing, wherein the high-pressure discharge lamp has a quartz glass discharge vessel (16) enclosing a discharge space with an ionizable filling, wherein a first electrode (18) and a second electrode (18) are present between which a discharge is maintained during lamp operation, wherein a first seal (42) incorporates a first internal electrical conductor (44) which connects the first electrode (18) to a first external electrical conductor (not labeled) extending from the seal (42) to the exterior, wherein said first seal (42) further incorporates a gas-filled cavity (50) which is at least partially surrounded by an external capacitive body (54), characterized in that the external capacitive body (54) is electrically isolated from the first and second electrodes (18), and the electrodes (18) are inherently connected to an ignition system.

Morris does not specifically teach the capacitive body being in the form of a resilient body that clamps itself around the seal. However, Van den Nieuwenhuizen et al. teach an external capacitive body that is the form of a resilient body that clips itself to the seal in order to simplify the manufacture of the lamp assembly (see page 5, lines 5-19 and Figs. 4-5). It would

have been obvious to one of ordinary skill in the art at the time the invention was made to use a resilient body that is capable of clamping itself to the seal, as taught by Van den Nieuwenhuizen, for the external capacitive body so that a simple assembly method that does not require welding or other complicated attachment means can be used in the manufacturing of the lamp.

Regarding claim 9, Morris discloses a high-pressure discharge lamp and its method of manufacturing, wherein the high-pressure discharge lamp has a quartz glass discharge vessel (16) enclosing a discharge space with an ionizable filling, wherein a first electrode (18) and a second electrode (18) are present between which a discharge is maintained during lamp operation, wherein a first seal (42) incorporates a first internal electrical conductor (44) which connects the first electrode (18) to a first external electrical conductor (not labeled) extending from the seal (42) to the exterior, wherein said first seal (42) further incorporates a gas-filled cavity (50) which is at least partially surrounded by an external capacitive body (54), characterized in that the external capacitive body (54) is electrically isolated from the first and second electrodes (18), and the electrodes (18) are inherently connected to an ignition system.

Morris does not specifically teach the first seal being a collapsed seal. However, Van den Nieuwenhuizen et al. teach that it is preferred that the first seal be a collapsed seal in order to ensure that the glass has adhered to the electric conductor by means of flowing an area of the first seal so that the gas tight seal is free from internal stress to a considerable extent (see page 2, lines 26-29 and Figs. 4-5). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the first seal be a collapsed seal, as taught by Van den Nieuwenhuizen, so as to ensure that the gas tight seal is free from harmful internal stress.

Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morris (US 5,323,091) in view of Van den Nieuwenhuizen et al. (WO 00/77826) as applied to claim 1, above, and further in view of Kawashima et al. (US 6,294,870).

Regarding claims 6-7, Nortrup et al. do not specifically teach the use of a lamp reflector. However, Kawashima et al. disclose the use of a lamp reflector (77) with a high-pressure discharge lamp (1) (see Fig. 12). The use of such lamp reflectors is well known in the art for reflecting emitted light in desired direction. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include a lamp reflector as taught by Kawashima in order to increase the light intensity in a particular direction, for the purpose of illuminating a desired object. Figure 9 of the Kawashima reference shows capacitive body (73) being partially mounted within the holder (64) of the lamp reflector, such that it is embedded in cement (70).

Claims 8 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morris (US 5,323,091) in view of Van den Nieuwenhuizen et al. (WO 00/77826) as applied to claim 1, above, and further in view of Adamson (US 6,094,017).

Regarding claims 8 and 10, Nortrup does not specifically describe the ignition system. However, Adamson teaches a high-pressure discharge lamp wherein the electrodes are connected to a resonance ignition system that produces a frequency of 150 kHz when the lamp is initially turned on. Adamson teaches that a frequency of 150 kHz is high enough to generate a high voltage to ignite an arc across the arc electrodes (col. 21, line 56 – col. 22, line 6). Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a resonance ignition system that produces a frequency of 150 kHz connected to the electrodes to ensure that the lamp consistently and reliably creates the initial arc required.

Response to Arguments

Applicant's arguments filed 9/19/06 have been fully considered but they are not persuasive.

Regarding the Applicant's argument that Nieuwenhuizen is disqualified as a reference under 35 USC 103(c)(1), since at the time of the present invention, both were commonly owned,


the Examiner respectfully disagrees. Van den Nieuwenhuizen et al. (WO 00/77826) has a publication date of 12/21/2000, more than a year before the filing date of the present application, and therefor qualifies as prior art under 35 USC 103(c)(1).

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Anthony Perry* whose telephone number is **(571) 272-2459**. The examiner can normally be reached between the hours of 9:00AM to 5:30PM Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel, can be reached on (571) 272-2457. **The fax phone number for this Group is (571) 273-8300.**

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Anthony Perry
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Art Unit 2879
October 27, 2006



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